



The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 18, 2004.

Diane Dunn McKay

Docket No. 4774-111 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer No.
LEONARD et al. : 26817

Serial No. 10/706,792 : Group Art Unit: 3763

Filed: November 12, 2003 : Examiner: Not yet assigned

Title: INTELLIGENT MEDICAL DEVICE : Confirmation No. 7187
BARRIER :
X

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF
PETITION UNDER 37 C.F.R. § 1.47(a)

Sir:

In response to a Decision Refusing Status Under 37 C.F.R. § 1.47(a) mailed August 24, 2004, Applicant hereby submits a Request for Reconsideration of Petition Under 37 C.F.R. § 1.47(a), and all requisite fees.

The Decision indicates that the previously submitted Petition lacked proof that the non-signing inventor cannot be reached or located, notwithstanding diligent effort, or refuses to sign the oath or declaration having been presented with the application papers (specification, claims and drawings).

Applicant submits herewith a copy of a letter dated September 7, 2004, addressed to Todd Leonard, the non-signing inventor in the instant application, evidencing that Mr. Leonard

10/22/2004 MAHMEEDI 00000078 10706792
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has been provided with a copy of the application specification, claims and drawings, as well as the Declaration and Power of Attorney for Patent Application form by Registered Mail. A copy of the letter dated September 7, 2004, the U.S. Postal Service Certified Mail Receipt and Registered mail postcard are attached herewith as Exhibit A. Exhibit B is a copy of the return postcard for Registered mail executed by Todd Leonard on September 10, 2004.

Applicant believes that Item 1 of the Decision mailed August 24, 2004 has been satisfied. The Registered mail postcard executed by Todd Leonard on September 10, 2004 proves that Mr. Leonard has been presented with a copy of the application papers, i.e., specification, claims and drawings, and the Declaration and Power of Attorney for Patent Application form. As Mr. Leonard has further remained silent with regard to executing the Declaration and Power of Attorney Form and providing a copy of same to either this attorney's office or to ProUroCare, Inc., it is our belief that Mr. Leonard refuses to sign the Declaration and Power of Attorney Form for filing with the United States Patent and Trademark Office.

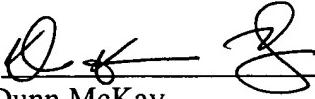
Applicant submits that the last known address of joint inventor, Todd E. Leonard is 11650 Timberline Road, Minnetonka, MN 55305.

Applicant respectfully requests that the Commissioner grant a Petition Pursuant to 37 C.F.R. § 1.47 as Applicant has made several attempts to contact Todd Leonard, who has refused to sign and return the Declaration and Power of Attorney.

Pursuant to 37 C.F.R. § 1.17(h), Applicants enclose herewith the requisite fee. Please credit any overpayments or charge any additional fees to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: October 18, 2004



Diane Dunn McKay
Reg. No. 34,586
Attorney for Applicant

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TRADEMARKS
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UNFAIR COMPETITION
LICENSING
COMPUTER AND HIGH
TECHNOLOGY MATTERS
RELATED LITIGATION

September 7, 2004

VIA REGISTERED MAIL

Todd Leonard
11650 Timberline Road
Minnetonka, MN 55305

RE: U.S. Patent No. 10/706,792
INTELLIGENT MEDICAL DEVICE BARRIER
Our Ref. 4774-111 US

Dear Todd:

Enclosed please find a copy of the above-referenced patent application, including a copy of the specification, claims and Abstract and three (3) sheets of drawings, filed November 12, 2003 with the United States Patent and Trademark Office.

We also enclose herewith a Declaration and Power of Attorney for Patent Application form for your execution. As you are aware, the above-identified patent application was filed with an unexecuted Declaration and Power of Attorney form. It is therefore necessary, at this time, to submit a fully executed Declaration and Power of Attorney to the United States Patent and Trademark Office. The fully executed Declaration and Power of Attorney form must be submitted before October 24, 2004.

Please execute the enclosed Declaration and Power of Attorney for Patent Application form where indicated and return same to us for filing prior to the October 24, 2004 deadline. Please be aware that this deadline is non-extendible.

MATHEWS, COLLINS, SHEPHERD & McKAY, P.A.

Todd Leonard
September 7, 2004
Page 2

We look forward to receiving the fully executed Declaration and Power of Attorney for Patent Application form. Should you have any questions or comments, please do not hesitate to contact us.

Very truly yours,

MATHEWS, COLLINS, SHEPHERD & McKAY, P.A.



DIANE DUNN McKAY

DDM/cns
Enclosure

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only, No Insurance Coverage Provided)

Postage	\$ 1.06
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.11

Postmark
Here

Sent To Todd Leonard
Street, Apt. No., or P.O. Box No.
11650 Timberline Road
City, State, ZIP+4
Minnetonka, MN 55305

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2 and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Todd Leonard
11650 Timberline Road
Minnetonka, MN 55305

- | | | |
|---|-------------------------------------|-----------|
| A. Signature | <input checked="" type="checkbox"/> | Agent |
| | <input type="checkbox"/> | Addressee |
| B. Received by (Printed Name) | C. Date of Delivery | |
| D. Is delivery address different from item 1? <input type="checkbox"/> Yes
If YES, enter delivery address below: <input type="checkbox"/> No | | |

3. Service Type

- | | |
|--|--|
| <input type="checkbox"/> Certified Mail | <input type="checkbox"/> Express Mail |
| <input checked="" type="checkbox"/> Registered | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

2. Article Number

(Transfer from service label) 7000-1670-0003-8353-2739

PS Form 3811, August 2001

Domestic Return Receipt

102555-02-M-1540

CERTIFIED MAIL

FOLD AT DOTTED LINE
TO THE RECIPIENT ADDRESS
PLACE STICKER AT TOP OF ENVELOPE



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Todd Leonard
11650 Timberline Road
Minnetonka, MN 55305

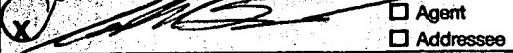
2. Article Number

(Transfer from service label)

7000-1670-0003-8353-2739

COMPLETE THIS SECTION ON DELIVERY

A. Signature


 Agent
 Addressee

B. Received by (Printed Name)

TODD LEONARD

C. Date of Delivery

9/7/04

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
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USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Diane Dunn McKay, Esq.
Mathews, Collins, Shepherd & McKay, P.A.
100 Thanet Circle, Suite 306
Princeton, New Jersey 08540

RECEIVED

SEP 17 2004

MATHEWS, COLLINS
SHEPHERD & MCKAY, P.A.